DOCUMENT RESUME

ED 161 090 CS 204 496

AUTHOR Tipton, Leonard; Fielder, Virginia Dodge
TITLE Community Standards and Their Misperception: A Local Public Opinion Poll on Pornography.
PUB DATE Aug 78
NOTE 30p.; Paper presented at the Annual Meeting of the Association for Education in Journalism (61st, Seattle, Washington, August 13-16, 1978)

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS Censorship; *Community Attitudes; Community Study; *Mass Media; *Moral Issues; *Perception; *Public Opinion; *Social Attitudes
IDENTIFIERS *Pornography

ABSTRACT

Following a series of events which had made pornography a controversial issue in the community, a public opinion survey of 350 adults was conducted in Lexington, Kentucky. Respondents were asked about the recent events, their perceptions of "sex" in different media and how it should be regulated, their views on pornography in general and their perceptions of the community's views, ways of establishing community standards, and freedom of expression in general. Results indicated that the respondents were unable to define pornography with any specificity. A majority felt that pornography should be available for adults, but they perceived themselves to be in the minority on the issue. The minority favoring strict control, however, felt their position to be the majority one. Respondents favored local over state or national laws, but were unwilling to let the local city council establish pornography standards. Those who took antipornography stances were generally older, attended church frequently, and had less formal education. Findings also indicated that perception of the extent of pornography's harmful effects had the most marked relationship to questions of legal control and availability. (Author/FI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED161090

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

COMMUNITY STANDARDS AND THEIR MISPERCEPTION:

A LOCAL PUBLIC OPINION POLL ON PORNOGRAPHY

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Leonard Tipton
Virginia Dodge Fielder

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

Leonard Tipton
University of Kentucky

and

Virginia Dodge Fielder
Lexington Herald-Leader Co.

Paper presented to the Mass Communication and Society Division, Association for Education in Journalism, 1978

CS204496

INTRODUCTION

In a series of cases decided in 1973, the U.S. Supreme Court introduced a new and somewhat puzzling approach to obscenity and pornography law in the United States. After years of wrestling with problems of definition, the Court apparently abandoned attempts to determine any kind of absolute national standard. While definitions are possible, the Court implied, they must come from the community and reflect prevailing local standards. The Court offered little guidance as to what should be considered a "community."[1]

Equally vague was what should or should not be considered evidence of "standards." Defense attorneys, for instance, have attempted to introduce results of public opinion surveys, but the courts avoided the question of their legal validity in favor of argument over national vs. local standards.[2]

The resolution in favor of the community standard approach seems to be partially rooted in the assumption that local residents know best what they themselves, as well as their friends and neighbors, consider a violation of prevailing local norms. This assumption is questionable for at least three reasons.

First, definitions of obscenity and pornography are highly individualistic and difficult to come by. Even a presumably articulate Supreme Court justice found himself unable to say more than that he may not be able to define pornography but he would know it when he saw it.[3] Whether inarticulateness stems from inexperience with pornography, a reluctance to verbalize certain concepts, or genuine perceptual and

psychological uncertainty, it remains to be demonstrated whether or not local citizens can define the concept in any meaningful and mutually-understandable terms.

More importantly, the assumption also may be questioned on the grounds of citizens' inability to identify a prevailing community standard. In their work on coorientation, Chaffee and McLeod have discussed situations in which a majority of people make very inaccurate judgments about what the "majority" of a community or population may think.[4] If such ignorance occurs in relatively well-debated political questions like those of interest to Chaffee and McLeod, it is much more likely to surface in areas like obscenity and pornography, where such topics are <u>not</u> to be discussed in anything like the graphic terms necessary to satisfy legal definitions.

In many communities the public discourse on pornography and obscenity takes place only between those groups espousing extreme positions. Thus individual citizens are likely to be left with a distorted view of the parameters of the issue, as well as erroneous judgments of the number of voices on each side. Counts of letters to the editor, or the number of citizens turning out at public meetings, or whether one hears more preachers in the pulpit or panelists on a civil liberties program may take the place of more valid criteria.

A third area that complicates the community standards approach has to do with whether the standard deals with the <u>morality</u> of pornography or with its <u>legality</u>. Although polemic debate often does not differentiate between the two, First Amendment considerations make the distinction a crucial one. Individuals may accurately perceive that prevailing community sentiment finds pornography objectionable, but they

may not know whether that sentiment extends to beliefs that pornography should be controlled or suppressed, or whether sentiment holds that pronography should be available for minority groups that do not agree with the prevailing moral view. Thus, a majority may not approve of pornography, but they also may not be willing to place strict legal control upon its distribution and use.

The study reported here was an attempt to investigate those three areas in the context of a community finding itself confronted with the question of determining its own local standards. With obscenity laws very much in the news, would citizens first be able to define pornography; second, be able to identify a prevailing norm; and third, be willing to distinguish between objecting to pornography and wanting it made illegal.

PUBLIC OPINION SURVEYS ON PORNOGRAPHY

The Commission on Obscenity and Pornography carefully sidestepped problems of definition in its extensive survey of public opinion toward pornography in 1970. In its Technical Report, the Commission's survey staff noted that their study was not one of "pornography," but one of "experience with and attitudes toward erotic material."

> Some stimuli which are regarded as 'pornographic' by some respondents would not be classified that way by most other people. As much as possible the interview content avoided terms such as pornography (introduced only at the very end) and 'erotica' (never used). Instead, we tried to define subject matter by descriptions of particular erotic depictions and in some instances (such as 'stag movies') by the setting and circumstance of exposure as well as by content.[5]

Whatever the individual's view toward erotic materials, the Commission was interested in whether respondents felt their views were shared by other members of the community. This notion of "perceived normative support" was addressed specifically by the question: "Think of your own opinions

about the sale and distribution of sexual materials. Would you guess that most other people in this community would want more restriction on sexual materials than you do, or less restriction than you do, or what?"

Answers indicated that the largest number -- 44 percent -- felt others would want about the same amount of restriction, even though that was not one of the response alternatives given. Another 29 percent felt other people would want more restriction, while 12 percent indicated others would want less. Consequently, the Commission concluded that "by and large people consider their views toward erotic materials to be, if anything, more liberal than those of the community at large."

The survey instrument contained no easy way to establish the accuracy of perceived normative support, but an open-ended question did attempt to assess why people felt their personal views might be different from the community as a whole. Again, the most frequent response indicated that respondents perceived no essential difference between their viewpoints and those of the community as a whole.

The Commission summarized norms related to support for the control of pornography, concluding that "public sentiment is more on the side of restriction than on the side of availability."

> The consensus seems clear in some respects. People favor controls over availability as follows: No erotic depictions on television, whether as entertainment or as part of the story. No erotic materials available, should it be demonstrated that these have harmful effects on people. No erotic materials readily available to young people.[6]

Two findings were crucial to interpretations of attitudes toward control of pornography, according to the Commission. First, "the people who are inclined to limit the availability of erotica include a disproportionate number who have never experienced any erotic depictions." And second, "people who are most inclined to limit the availability are also most

inclined to limit public criticism of God, government and the police."[7]

Other national surveys seem to indicate that Americans may have grown more permissive in some of their views toward pornography since the Commission's study almost a decade ago. The Gallup Opinion Index in August, 1973, pointed toward such a conclusion:

> Although a majority of the American people support the Supreme Court's recent ruling which calls for tougher guidelines on obscene literature, far fewer today than in 1969 say they would be offended by pictures of nudes in magazines -- 55 percent compared to 73 percent in 1969. Those who would object to actors and actresses appearing in the nude in Broadway plays have declined from 73 percent to 44 percent, while the proportion who would be offended by topless nightclub waitresses has declined from 76 percent in 1969 to 59 percent in the latest survey.[8]

Americans may not be as offended by some types of materials and performances, but there is little evidence to indicate substantial shifts in attitudes toward the harmful effects of pornography. Two of the items from the Commission's battery of questions on perceived harmful effects were repeated six years later in the University of Chicago's national survey. The same percentage of respondents in 1970 and 1976 (55 percent) said "sexual materials lead to a breakdown in morals," while a slightly higher percentage in 1976 than in 1970 (53 percent vs. 47 percent) indicated "sexual materials lead people to commit rape."[9]

The latest survey of public views on pornography and its control came from Gallup in March of 1977[10] and from Roper in May of that year.[11] Gallup reported that 45 percent of those Americans surveyed wanted stricter controls, while 35 percent wanted controls to remain the same as they were then. Dealing only with X-rated movies, the Roper poll showed that 54 percent of the sample would permit X-rated movies for adults, while 40 percent would ban them for everybody.

Percentages are somewhat different for state surveys tapping citizen views toward pornography. A 1977 Mid-Continent Survey of Minnesota adults,[12]

for example, found 60 percent favoring more censorship, compared to 26 percent wanting the law left as it was then. The Ohio Survey in 1975[13] asked about bookstores being barred from selling sexually explicit materials to adults. Overall, 57 percent said "no" and 37 percent said "yes," with males adopting a slightly more liberal stance than females.

The surveys also have investigated citizen preference for the "locus" of pornography laws against the distribution of sexual materials. "If such laws are passed," the 1970 Commission survey asked, "should they be passed by Congress for the whole country, or should they be State laws for each State, or should they be laws passed by each community who wants them.?" There was a "strong tendency," the Commission concluded, for respondents to prefer action at the federal level (62 percent) rather than at the state (12 percent) or local (17 percent) level.

The 1977 Gallup survey, however noted a marked shift in the preferred locus of pornography laws, with 45 percent preferring national standards and 39 percent preferring community standards. The reasons for this shift have yet to be determined, but one factor might be the Supreme Court's 1973 ruling that standards for pornography should be established at the local level.

PORN SURVEY IN A COMMUNITY

The immediate impetus for this research effort came from a newspaper editor who wanted a public opinion survey conducted following a series of events which had made pornography a controversial and much debated issue in Lexington, Kentucky.

Over the past several years, the community had witnessed attempts to enforce anti-pornography ordinances, but these mostly had concerned X-rated movies and had not stirred a great deal of public interest.

In October, 1977, the pornography issue became heated when a national touring company was scheduled to perform the sexual satire Oh! Calcutta! in

a municipally-owned theatre. Skirmishing and protests began several days before the performance, which resulted in local police viewing two performances and later that night arresting nine cast members under a city ordinance prohibiting "any indecent, obscene or lewd act in public." After a series of delayed legal hearings marked by pickets on both sides, the charges were dismissed on the grounds that the particular ordinance in question was "unconstitutionally vague."

The day before the performances, several local ministers incorporated the Kentucky Citizens for Decency, an "anti-smut" organization that subsequently led a group of several hundred citizens to a city council meeting. After suspending its usual procedural rules, the council quickly drafted a new ordinance prohibiting the sale of sexually explicit materials to persons under 18. The so-called "out-of-sight" ordinance also prohibited the display of such materials in places frequented by minors.

Less than six weeks later, local police confiscated 12 books, including the best-selling The Joy of Sex, from three well-known Lexington bookstores and cited their managers for allegedly violating the new ordinance. The charges were subsequently "continued generally," meaning the charges were neither pressed nor dropped, but further legal action remains possible.

Throughout this series of events, the Lexington print and broadcast media reported each happening in detail and gave widespread play to spokespersons for each side. The controvery generated numerous letters to the editor, with 44 percent (23 of 52) tallied for the anti-porn forces in the afternoon paper and 59 percent (84 of 142) in the morning paper, which had taken a strong stand against the anti-pornography effort. Combined editions showed 45 percent (18 of 22) tallied for the anti-porn forces.

The survey was conducted in February, 1978, and resulted in a series of three articles in the afternoon paper.

METHODOLOGY

Largely for reasons of convenience and cost, the decision was made to contact respondents via telephone, despite the knowledge that this technique limited the scope and detail of questions that could be asked.

Telephone numbers were secured through random digit dialing, with numbers generated in proportion to the number of residential phones in the Lexington exchanges. A counter-balanced respondent selection key was used to insure that the oldest, middle-aged and youngest persons in each household contacted would have an equal chance of being interviewed.

Interviewing was done by undergraduate communications students from the University of Kentucky and employees of the Lexington Leader, the afternoon newspaper. Males interviewed only males and females only females.

Interviews were conducted from a central location on a Tuesday, Wednesday and Thursday evening. We also interviewed the following Monday for call-backs and to adjust the percentage of respondents from the exchanges. The central exchanges had resulted in the greatest number of no-answers, since businesses were concentrated there.

Questions were asked about the Lexington arrests and new "out of sight" ordinance, about whether respondents thought there was "too much sex" in different media, and, if so, about the extent to which they would like to see laws regulating sexual material in those media. Other questions concerned respondents' views on pornography in general and their perceptions of the community's views; ways of establishing community standards; the level of government at which laws should be established; and demographics. The final items repeated three questions on general freedom of expression from the Commission's 1970 survey.

All questions were closed-ended, except for an open-ended question asking each respondent to define "what the word pornography means to you"

placed about half-way through the 10 to 15 minute questionnaire. Interviewers were instructed to record answers verbatim and to use stock probes: "Would you care to elaborate? Would you explain what you mean? Anything else?"

Coding categories for this question were developed by a procedure in which one of the authors would identify appropriate codes for 20 questionnaires and the other would then code those same 20 using that code. Discrepancies were discussed to refine the code. That procedure was repeated until the authors had agreed on a 12-code category scheme.

Final coding used a procedure in which each author coded half the questionnaires and then checked the other half, resolving disagreements by discussion and mutual consent. In instances where more than one category would have been appropiate, the rule of coding into the more specific rather than the more general category was followed.

Completed interviews accounted for 25 percent of the attempted calls. Non-valid or non-residential numbers accounted for 33 percent of our attempts, and no answers another 31 percent. In the latter case, it is difficult to distinguish between invalid numbers and genuine not-at-homes. We had 11 percent identifiable refusals, including instances where we were unable to call back the specified respondent.

The final N was 350, with 56 percent female and 43 percent male. The proportion of numbers from one suburban exchange was over-represented by four percentage points; others were even closer.

ANALYSIS AND RESULTS

Definitions of pornography

Despite the fact that issues related to pornography were familiar to our respondents (94 percent had heard about the theatre arrests and 88 percent had heard about the bookstore arrests), those surveyed had difficult responding to the question, "The word pornography means different things to different

people. Would you tell me what the word pornography means to you?"

Approximately 14 percent gave no answer, while another four percent attempted a definition but finally said "don't know" after being unable to express their opinions precisely. One respondent, for example, began defining pornography as "things unfit to read" but then said, "I don't really have an opinion." Still another nine percent gave vague and general definitions that generally included some reference to "sex." One respondent, for example, mentioned "sexually related materials, while another said "X-rated movies." Stock probes failed to elicit more specific definitions.

Previous questions had provided some information about possible definitions by the use of such phrases as "too much sex", "sexually explicit materials" and "explicit sex scenes." Perhaps because of these cues, such phrases appeared in many of the respondents' answers. (Results are presented in Table 1.) Had these cues not preceded the definitional question, respondents might have been even more inarticulate when telling interviewers what the word pornography means to them.

The most common phrases used by respondents to define pornography included references to "dirty, vulgar or offensive behavior" (17 percent) and nudity (17 percent). Examples of the kinds of responses coded into the first catgory are "anything sexually oriented in a distasteful way" and "where too much is revealed in a very distasteful or disrespectful manner." Responses coded into the nudity category contained such specific references as "showing the complete body" and "showing people without their clothes on."

The next most frequent category (11 percent) included respondents who alluded to explicit sex and sex acts -- "permitting the viewing of the details of sex that should not be open for other people to look at" and

TABLE 1

Definitions of Pornography

	Frequency	Percent
No answer	50	14
Attempted, but finally said don't know	15	4
Vague and general (e.g., "just sex")	33	9
Crude, dirty, vulgar, disgusting, etc.	58	17
Explicit sex, public sex, hard core sex	40	11
Nudity	61	17
Intercourse	16	5
Specific acts -- homosexuality, bestiality, sado-masochism, kiddie porn	19	5
Negative or legal -- no redeeming social value, no artistic merit	11	3
Arousal	7	2
Offensive to normal people	16	5
In the eye of the beholder	13	4
Other	11	3

"explicit sex for the sake of sex only" are examples. Another five percent said "sexual intercourse" or "the actual act being exhibited" figured in their definitions of pornography, while the same percent mentioned such specific acts as homosexuality, bestiality and sado-masochistic behavior.

Such phrases as "material which displays something offensive to the majority of adults in a community" and "behavior not generally approved by conventional standards of morality" were coded into an "offensive to normal people" category, representing five percent of all responses. Another three percent mentioned such negative or legal definitions as "no redeeming social value" and "no artistic merit," while two percent said pornography relates to material that "excited the sexual desires" or is intended exclusively for "sexual arousal."

Finally, four percent of the respondents said the term pornography cannot be defined because, as the phrasing of the question pointed out, the word means different things to different people. "I don't think there really is a definition. It is in the eye of the beholder," said one respondent. "It exists only for the individual," said another.

Overall, then, the difficulties in defining pornography came from the unwillingness or inability of respondents to deal in specifics. Even the two most frequent categories involved variants of "dirty sex" or nudity, with few specifics as to what makes sex "dirty" and what conditions of nudity were being referred to.

Community Norms and Perception of Community Norms

After being asked to define pornography, respondents were asked: "In your opinion, do you think it is all right or not all right to have such material available in Lexington for adults who want to buy it?" (Those who gave no definition were asked about the availability of "pornography.")

Approximately 82 percent responded "all right," while 18 percent said "not all right."

Even though the large majority of respondents approved of having pornography availablefor adults, almost the same number supported restrictions upon the availability of pornography for minors. Asked which of two statements is "closer to the way you feel," 81 percent chose "young people should not be allowed to reador see some things," while 15 percent chose "young people should be allowed to read or see anything they want."

Concern for keeping pornography and sexual materials away from minors also surfaced when respondents were asked about their support for Lexington's new out-of-sight ordinance. The large majority (82 percent) said they favored the ordinance's prohibition on "displaying sexually explicit materials where minors can see them," while only 14 percent opposed the ordinance.

Some intriguing results occurred on the questionnaire item intended to assess "perceived normative support" -- whether respondents felt their views were shared by other members of the community. After giving their opinions on whether it is all right or not all right to have what they considered pornography available for adults, respondents were asked, "Do you think most people in Lexington would agree with you or disagree with you about that?" A cross-tabulation of these two questions is presented in Table 2.

The picture drawn by the cross-tabulation indicates that respondents are inaccurate in their perception of community norms, assuming, of course, that they did not view their definitions as too individualistic. Over 80 percent of the respondents said they felt pornography should be available for adults who want to buy it, but only 39 percent of that majority felt most others in Lexington would agree. On the other hand, 52 percent of those holding the minority position (the 18 percent who said "not all right") felt that the community as a whole would agree with their position.

TABLE 2

Cross-tabulation of "Availability of Pornography" with "Perception of Community"

N row% column%		"Availability of Pornography"[1] All Right	Not All Right	
"Perception of Community"[2]	Would agree	108 78% 39%	30 22% 51%	138 (41%)
	Would disagree	119 84% 17%	22 16% 37%	141 (42%)
	Don't know	47 87% 17%	7 13% 12%	54 (16%)
		274 (82%)	59 (18%)	

[1]"In your opinion, do you think it is all right or not all right to have such material [pornography] available in Lexington for adults who want to buy it?"

[2]"Do you think most people in Lexington would agree with you or disagree with you about that?"

When interpreting its findings in 1970, the national Commission contended that, in general, people think they take a more liberal view regarding pornography than does their community as a whole. While different questions make direct comparability difficult, our results show that 41 percent of respondents think the community agrees with them, compared to 44 percent for the Commission's national survey.

Support for Legal Controls

In general, questions on the enforcement of local pornography laws and the assessmentof community standards indicated some inconsistency and uncertainty on the part of our respondents.

They clearly did not support the enforcement efforts of local police in regard to the Oh! Calcutta! arrests and the citations issued to the bookstore managers. Asked whether the charges against the cast members should have been dismissed, 52 percent said "yes" and another 13 percent volunteered that they never should have been arrested in the first place. Similarly, 55 percent indicated the bookstore charges should have been dismissed and another eight percent volunteered that the managers never should have been cited.

The results on the Oh! Calcutta! arrests are not surpising, given that a large majority of respondents felt the availability of such materials to adults should not be limited. The results on the bookstore charges are somewhat inconsistent, however, since a large majority supported the out-of-sight ordinance under which the bookstore managers were cited. Perhaps this seeming inconsistency stemmed from the belief of some respondents that The Joy of Sex and other books confiscated were not the types of materials that should have been made subject to the ordinance. Other respondents also indicated they felt the bookstore managers should have been warned and given

a chance to remove the books from their open shelves before the citations were issued.

A question tapping preference for locus of pornography laws, should they be enacted, showed a marked difference in Lexington in 1978 and the national survey in 1970. As previously mentioned, the national results showed 62 percent of the respondents favored federal laws, 17 percent state and 12 percent local. Comparable percentages in Lexington were 34 percent federal, 13 percent state and 41 percent local. The Lexington results, then, fell in between the Commission's 1970 data and those percentages reported by the 1977 Gallup survey.

Despite the fact that a plurality of Lexington respondents favored local laws, the governmental body charged with enacting those laws -- the city council -- received relatively little support as a "good way" to establish community standards. Specifically respondents were offered three different ways community standards might be established: public opinion surveys, the city council, and a committee made up of a cross-section of local citizens. For each, they were asked whether it would be a "good way" or a "bad way." Only 32 percent said the council would be a "good way," compared to 79 percent for public opinion surveys and 66 percent for the citizens committee. Several of those expressing support for the city council added that it would be a good way, only if public opinion surveys had been conducted. And even those people who felt pornography should not be available for willing adults distrusted the local council's ability to determine community standards.

Relationships between Support for Legal Control and Other Variables

One area of interst had to do with whether or not respondents would indicate a distinction between finding pornography objectionable and being willing to support its legal regulation.

We first looked at whether people who objected to sexual portrayals in various media would support legal and/or non-legal means of control. This question was asked only of those who agreed that there was too much sex on television (N=165) or in newspapers (N=73) or who felt X-rated movies should not be available for adults (N=82). They were first asked whether those media should voluntarily refuse to run sexual material, and then asked whether there should be strict laws to control it.

For movies and television, there was a narrow preference for legal over voluntary regulation (83% compared to 81% for movies, 78% and 74% for television. Of the respondents who thought there was too much sex in newspapers, 49% supported self-regulation and 46% wanted legal controls.

We assume that, in these cases, we are dealing with the relatively "hard-core" anti-pornography people. In general, they do not seem to separate self-regulation from legal regulation, although they are much less willing to restrict newspapers than television or movies.

We next looked at relationships tapped by questions asked of all persons in the sample. To get a wider range of possible scores, and thus more discriminatory power in the variables, we summed the scores of similar items into single "index" scores. Responses to the questions making up the index scores are presented in Table 3.[14]

These five indices were computed:

Legal Control, where the higher the score, the more a person supported legal regulation.

Availability, where the higher the score, the more a person was willing to have sexual material available.

Too Much Sex, where the higher the score, the more a person agreed there was too much sex portrayed in media.

TABLE 3

Frequencies for Items Making Up Indices

Legal Control

[CALCUTTA] Charges against the cast members were later dismissed. Do you think those charges should have been dismissed, or do you think the cast members should have been prosecuted?

dismissed	prosecuted	not arrested	don't know
182 (52%	59 (17%)	48 (13%)	55 (16%)

[BOOKSTORE] Charges against the bookstore managers were also dismissed. Do you think those charges should have been dismissed, or do you think the bookstore managers should have been prosecuted?

dismissed	prosecuted	not cited	don't know
190 (54%)	83 (24%)	28 (8%)	38 (11%)

[MINORS] Do you favor or oppose Lexington's new ordinance that prohibits sexually explicit materials from being displayed where minors can see them?

favor	oppose	don't know
287 (82%)	48 (14%)	12 (3%)

Availability

[X MOVIES] Do you think that movies showing explicit sex scenes should be available in Lexington for adults who want to see them?

yes	no	don't know
257 (73%)	82 (23%)	8 (2%)

[PORN] In your opinion, do you think it is all right or not all right to have [pornography] available in Lexington for adults who want to buy it?

all right	not all right	don't know
281 (80%)	59 (17%)	7 (2%)

[YOUNG PEOPLE] With respect to pornography and sexual materials, which of these two points of view is closer to the way you feel? Young people should be allowed to read or see anything they want to, or Young people should not be allowed to read or see some things.

allowed	not allowed	don't know
51 (15%)	273 (78%)	12 (3%)

table 3 cont.

Too Much Sex

[MOVIE SEX] Some people say there is too much sex in movies these days. Do you agree or disagree with that?

agree	disagree	don't know
202 (58%)	101 (29%)	44 (13%)

[TV SEX] Some people say there is too much sex on television. Do you agree or disagree with that?

disagree	agree	don't know
164 (47%)	165 (47%)	19 (5%)

[PAPER SEX] Some people say that too many newspaper stories deal with sex. Do you agree or disagree with that?

disagree	agree	don't know
246 (70%)	73 (21%)	28 (8%)

Freedom of Expression

[POLICE] Should newspapers have the right to print articles that criticize the police?

yes	no	depends	don't know
279 (40%)	43 (12%)	9 (3%)	4 (1%)

[GOD] Should people be allowed to make speeches against God?

yes	no	depends	don't know
192 (55%)	133 (38%)	5 (1%)	4 (1%)

[GOVERNMENT] Should people be allowed to publish books which attack our system of government?

yes	no	depends	don't know
233 (67%)	86 (25%)	9 (3%)	8 (2%)

Effects

[MORALS] Some people say that pornography leads to a breakdown in morals. Do you agree or disagree with that?

agree	disagree	depends	don't know
144 (41%)	160 (46%)	21 (6%)	14 (4%)

[CRIMES] Some people say that pornography leads people to commit sex crimes. Do you agree or disagree with that?

agree	disagree	depends	don't know
125 (36%)	168 (48%)	25 (7%)	22 (6%)

Freedom of Expression, where the higher the score, the more a person was willing to tolerate criticism of government and religion.

Effects, where the higher the score, the more a person perceived pornography as having harmful effects.

The correlations between the individual items that make up the indices are presented in Table 4. All of the items within a particular index correlate positively and significantly. Two items, however, are not as strongly related as the others. These are the "young people" question in the Availability index and the "minors" question in the Legal Control index. Whether pornography should be available for adults but not for minors would seem to be a major determinate of scores in both of these indices.

We next looked at the relationships between the indices themselves. Those correlations are presented in Table 5. Those who support legal controls are also those who view media as having too much sex and perceive pornography as causing harmful effects. Those who do not support legal controls are those most willing to have pornography available as well as being generally more tolerant of free speech. The Effects index shows the strongest relationship with Legal Control, Availability and perceptions of Too Much Sex in media.

In terms of demographics, those who take anti-pornography stances are generally older, attend church more often, and have had less formal education.

To see if the relationships between Legal Control, Availability and Too Much Sex would hold up when the influence of other variables was controlled for, we computed first order partials. The original correlations are not substantially altered when the influence of the demographic variables as well as the Freedom of Expression scores are partialed out.

The only major difference occurs when we control for the influence of perceptions of pornography's harmfulness. Then the correlations of Legal Control first with Availability and then with Too much Sex drop from -.39 to -.19.

TABLE 4

Correlations between Items

	Legal Control		Availability			Too Much Sex			Freedom of Expression			Effects	
	Bookstore	Minors	X-Movies	Porn	Young	Movie	TV	Paper	Police	God	Govt.	Morals	Crimes
Calcutta	.46*	.13+	-.14+	-.24*	-.08	.27*	.21*	.28*	-.25*	-.24*	-.25*	.32*	.33*
Bookstore		.16+	-.22*	-.33*	-.11+	.32*	.33*	.30*	-.20*	-.26*	-.23*	.41*	.37*
Minors			-.17*	-.12+	-.25*	.28*	.16*	.16*	-.04	-.18*	-.12+	.30*	.29*
		X-Movies		.55*	.13+	-.32*	-.29*	-.28*	.11+	.21*	.19*	-.38*	-.36*
		Porn			.13+	-.27*	-.27*	-.21*	.09	.15+	.16+	-.36*	-.35*
		Young				-.18*	-.18*	-.07	-.01	.01	.06	-.22*	-.23*
					Movie		.54*	.37*	-.09	-.14+	-.15+	.41*	.38*
					TV			.38*	-.10	-.16*	-.13+	.36*	.42*
					Paper				-.17*	-.23*	-.26*	.26*	.28*
								Police		.38*	.38*	-.11+	-.17*
								God			.50*	-.21*	-.20*
								Govt.				-.18*	-.16+
											Morals		.55*

TABLE 5

Correlations between Indices

	Availability	Too Much Sex	Freedom of Expression	Effects	Age	Education	Religion
Legal Control	-.39*	.47*	-.39*	.56*	.26*	-.26*	.32*
Availability		-.42*	.20+	-.50*	-.35*	.05	-.22*
Too Much Sex			-.25*	.51*	.36*	-.15+	.19*
Freedom of Expression				-.26*	-.22*	.47*	-.01
Effects					.34*	-.14+	.22*
Education							-.09

The correlation between Availability and Too Much Sex drops from -.42 to -.22. It seems, then, that the relationship between willingness to have pornography available and willingness to restrict it legally depends in part upon whether or not people perceive it as having harmful effects.

That relationship was looked at more closely by three-way cross-tabulations; that is, we cross-tabulated the Legal Control questions with the Availability questions separately first for those who agreed and then for those who disagreed with statements about pornography's harmful effects.

Results indicated that the changes between the zero order and first order correlations may be due more to those who felt pornography had harmful effects than to those who saw no harm. Consistently, of those who saw no harm, around 70% indicated on all questions dealing with legal control that they did not support legal regulation. Only around 10% supported such laws. On the other hand, of those who did feel that pornography was harmful, around 30% on all questions were unwilling to impose legal restrictions, while 40% supported legal controls. In other words, a substantial minority of those who view pornography as having harmful effects nevertheless were willing to have it available. They were even less willing to impose legal controls.

DISCUSSION

The results of this survey suggest that citizens have trouble defining what pornography means to them -- at least when they are asked for their definitions over the telephone. If public opinion surveys are to serve as the basis for establishing community standards, and our data indicate people do support this method, then researchers and policy makers may have to turn to in-depth, personal interviews for valid and usable information.

According to our results, citizens worry about the methods now used to establish community standards -- laws passed by city councils and other

governmental bodies. A way must be found for community input into that process if we are to disentagle ourselves from the quagmire that definitional attempts have become. "I know it when I see it" is no longer an acceptable definition of what is pornographic. Public opinion surveys must adopt a strategy that insures all respondents are talking about specifics when they discuss the kinds of material that should, or should not, be regulated.

The conclusions of several other public opinion surveys are supported here -- that public sentiment is more on the side of restrict. But results further indicate that the magnitude of this sentiment may not be as great as it once was, particularly for pornographic materials accessible only to adults. Law and policy makers must take care not to base their decisions on community standards of the past; assessment of norms must be an on-going process capable of discerning major shifts in attitudes and experiences.

Attention also must be paid to the factors that appear to influence opinions about pornography and attitudes toward its control -- age, religion, beliefs about effects, perceptions of the viewpoints of others in the community, and a concern for First Amendment issues. Citizens may support a law in the abstract -- Lexington's out-of-sight ordinance, for example -- but they also may worry about how that law is applied in particular situations. Assessing community standards is one thing; applying those standards in a way that is legally and philosophically sound is quite another.

Citizen perceptions of the viewpoints of others in the community become particularly important, since that perception is often so inaccurate. Those who espouse the most severe limitations on pornography feel quite strongly that they are in the majority. The "real majority" apparently fails to recognize its position.

The 1970 Commission noted this same tendency:

> Members of citizen action groups tend to feel that there is widespread community support for their position, whether this is true or not. Those individuals who want the most restrictions on the availability of these materials, even when they are in a minority, tend to think that most others in the community want the same degree of restriction.[15]

Invoking the force of a "silent" (i.e., unknown) majority is nothing new in American politics. It become particularly crucial, however, in issues surrounding pornography, since the courts seem to have recognized that as a political as well as a legal question. The laws supposedly are based on the opinions of the body politic; a jury then applies those laws in deciding whether certain actions and materials have violated community norms. When the "vocal minority" convinces policy and law makers that their's is the majority position, then the minority is imposing its will legally upon the majority.

Thus it becomes a particularly important research question to determine first, if misjuding a majority opinion is relatively pervasive, and, if it is, why such a pattern develops around issues of pornography and obscenity. We have eluded to several reasons such a tendency might exist: lack of definitions, lack of discussion and public discourse from extreme positions.

The mass media may have to bear a great deal of responsibility for such misperceptions, especially if their news accounts of obscenity events offer too much credence to minority views. That is not to suggest that minority views should be ignored; rather, care must be taken that a distorted picture of their pervasiveness does not become the basis for judging local opinion. Journalists may be just as likely as other citizens to be operating from an inaccurate view of how the majority of a particular community feels about pornography.

That particular issue become important, not only because of reinforcing misperceptions, but also because such an erroneous view may lead to self-censorship.

As the 1970 Commission repeatedly warned, pressures from a vigilant minority may cause media to set up rules and internal procedures for deleting material deemed offensive by that minority. Such self-regulation inhibits experimentation with news ideas and limits the scope of cultural variety. The mass media, then, must be careful not to let their misperceptions of community norms lead them down a "safe" path that deprives the majority -- and the minority -- of information vital to social change.

NOTES

[1]Harold L. Nelson and Dwight L. Teeter Jr., Law of Mass Communications (2nd Edition), Mineola, N.Y.: The Foundation Press, Inc., 1973, p. 439.

[2]Harriet F. Pilpel and Marjorie T. Parsons, "Dirty Business in Court," The Civil Liberties Review, Vol. 1, No. 4, Fall, 1974. Reprinted in Michael C. Emery and Ted Curtis Smythe, Readings in Mass Communication (3rd Edition), William C. Brown Company Publishers, 1977, pp. 435-442.

[3]Concurring opinion in Jacobellis v Ohio, 378S U.S. 184, 197, 84 S.Ct. 1676, 1683 (1964). Cited in Nelson and Teeter, p. 384.

[4]Steven H. Chaffee and Jack M. McLeod, "The Construction of Social Reality," in J. Tedeschi (ed), The Social Influence Process, Chicago: Aldine, 1972.

[5]Technical Report of the Commission on Obscenity and Pornography, Vol. VI, U.S. Government Printing Office, p. 4.

[6]Technical Report, p. 5.

[7]Technical Report, p. 6.

[8]Gallup Opinion Index, Report No. 98, Aug., 1973, p. 22.

[9]Current Opinion, Roper Public Opinion Research Center, Williams College, Williamston, Mass.

[10]Current Opinion, Vol. V, Issue 5, May, 1977, p. 53.

[11]Current Opinion, Vol. V, Issue 8, Aug., 1977, p. 88.

[12]Current Opinion, Vol. V, Issue 4, April, 1977, p. 48.

[13]Current Opinion, Vol. III, Issue 3, May, 1975, p. 28.

[14]The items were recoded so that "agree" and "disagree" responses were in the same direction. The "don't know" and "depends" answers were recoded as the middle value. "No answers" were treated as missing data and omitted from analyses.

[15]The Report of the Commission on Obscenity and Pornography, New York: Bantam Books, 1970, p. 38